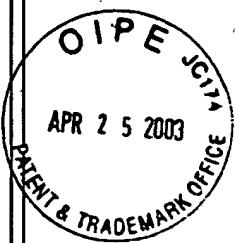


Attorney Docket  
33035 M 084



#9/Election  
4/30/03  
P A T E N T  
Adam H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Seiji YAEGASHI, et al. **CONFIRMATION NO. 7336**  
Serial No. : 10/026,950 Art Unit : 2815  
Filed : December 27, 2001 Examiner : Paul E. BROCK, II  
For : Heterojunction Bipolar Transistor and Method of Making Heterojunction Bipolar Transistor

**RESPONSE TO PAPER NO. 8**

Commissioner for Patents  
Washington, DC 20231

Sir :

A response to the Office Action mailed April 3, 2003 (Paper No. 8) is due by May 3, 2003.

On February 26, 2003, Applicants responded to the restriction requirement set forth in Paper No. 6 by electing claims 1-14 of Group II for examination in this application.

Paper No. 8 went on to require election from among six allegedly patentably distinct species of the invention of claims 1-14, as individually depicted in drawing figures 3, 8a, 8b, 9a, 9b and 10.

Accordingly, Applicants elect Species I, depicted in Figure 3 for examination in this case. Applicants advise that claims 1, 2 and 4-12 read on Figure 3.

This further election is made without traverse. Applicants reserve the right to file divisional application(s) directed to non-elected claims in due course.

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Applicants submit that this application now is in condition for examination on the merits and early action in that regard is solicited.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP



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Date : April 25, 2003